

#6
S-I
02.17.04

PATENT
Attorney Docket No. 4329.2740

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

YOSHINORI YUKI ET AL.)

Application No.: 10/079,497)

Group Art Unit: 2661

Filed: February 22, 2002)

Examiner: Unknown

For: WAVELENGTH DIVISION)
MULTIPLEXING RING NETWORK)
SYSTEM, OPTICAL PATH)
SETTING METHOD, RECOVERY)
METHOD, AND PROGRAM)

RECEIVED

FEB 1 2 2004

Technology Center 2600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement ("IDS") is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

The article by Yuki et al. was previously provided with the IDS filed March 21, 2003, and is again cited herein to bring to the Examiner's attention that the article corresponds to the article by Yuki et al. cited at page 2, lines 21-23, of the present specification.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: 2/11/04

By: 

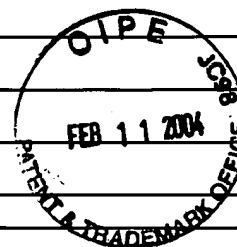
Richard V. Burgujian
Reg. No. 31,744

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

INFORMATION DISCLOSURE CITATION

Atty. Docket No. 4329.2740'	Appln. No. 10/079,497
Applicant Yuki et al.	
Filing Date February 22, 2002	Group: 2661



U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

RECEIVED

FEB 12 2004

Technology Center 2600

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Chlamtac et al., "Lightpath Communications: An Approach to High Bandwidth Optical WAN's," IEEE Transactions on Communications (July 1992), 40:1171-82
Yuki et al., "Study of wavelength path configuration method for WDM networks," Computer & Network Development Center, Toshiba Corp. (with English-language translation attached)

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce